IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SEVENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 24165 of 2004

Between:

Mohd. Aejazuddin, S/o. MD. Jamaluddin,
R/o. 4-1-11, Bapuji Nagar, Paloncha, Khammam District.

..... PETITIONER

AND

1 The Superintendent of Police, Khammam District.
2 The Inspector of Police, Khottagudem, Town Kotthagudem,

Khammam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ or directions or orders more particularly writ of mandamus declaring the action of the 2nd respondent harassing and defaming the image of the petitioner and his family members and interfering in a family dispute and threatening of implicating the petitioner in false case are arbitrary, illegal, bad and inhuman apart from violative of letter and spirit of constitution of India and consequently direct the 2nd respondent not to implicate the petitioner and not to harass the petitioner and his family members, and to pass such other orders.

Counsel for the Petitioner:MOHD.MUMTAZ PASHA

Counsel for the Respondents 1 and 2: GP FOR HOME

The Court at the stage of admission made the following ORDER:

The grievance of the petitioner is that the second respondent is indiscriminately requiring him to attend the police station and causing harassment and defamation to him and the members of his family. It is also alleged that the second respondent is threatening to foist cases against the petitioner. He seeks appropriate directions in this regard.

Heard learned counsel for the petitioner and learned Government Pleader for Home.

The petitioner had narrated in detail, the genesis of the dispute between himself and his wife Smt. Mumtaz. He alleges that obviously at the instance of his wife, whom he is said to have divorced, the police is exerting pressure and causing harassment to him. There is no reference to any proceedings before the Courts or other agencies. This Court is not inclined to verify the truth or otherwise of the allegations contained in the affidavit filed in support of the petition.

The police can require a citizen to attend the police station and interrogate him, if only a specific complaint is made or a case is registered. Subjecting a citizen to harassment, requiring him to attend the police station and treating him in an impolite manner amounts to interference with the civil and constitutional rights.

Hence, the writ petition is disposed of directing that the second respondent shall not interfere with the rights of the petitioner, except where any complaint alleging criminal acts against him is received and a case is registered. There shall be no order as to costs.

27.12.2004

ksld

To

1 The Superintendent of Police, Khammam District.
2 The Inspector of Police, Khottagudem, Town Kotthagudem,

Khammam District.

3 Two CCs. to the G.P. for Home, High Court of A.P.,

Hyderabad(OUT).

4 Two CD copies.